

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1425

House Bill No. 925*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-6-805, is amended by adding the following as a new subdivision:

() Policies and procedures relating to LEA and school cyber security preparedness to identify cyber security risk, implement mitigation planning, and protect cyber infrastructure against cyber attacks and other cyber security threats and incidents. As used in this subdivision (), "cyber security" means the art of protecting networks, devices, and data from unauthorized access or criminal use, and the practice of ensuring the confidentiality, integrity, and availability of information;

SECTION 2. For the purposes of revising the template developed by the state-level safety team and all local safety and emergency response plans, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2021, the public welfare requiring it.



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AMEND Senate Bill No. 1133

House Bill No. 528*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-5-106, is amended by deleting the section and substituting:

(a) After a director of schools or a director of a public charter school notifies the director's local board of education or the governing body of the director's public charter school, as applicable, that the LEA or public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school in which a vacancy exists, the director of schools or the director of the public charter school may certify same to the commissioner of education. Upon the commissioner's receipt of the certification, the commissioner may grant, on behalf of the state board of education, under conditions prescribed in the state board's rules, a temporary permit to teach in the unfilled position to a person recommended by the director of schools or the director of the public charter school, as applicable, and who is approved by the commissioner. The temporary permit is valid only until June 30 following the date of the permit's issuance.

(b) Notwithstanding subsection (a), the commissioner shall not grant a person, on behalf of the state board, a temporary permit to teach:

(1) A physical education class required under § 49-6-1021(e); or

(2) A course for which an end-of-course examination is required, in accordance with § 49-6-6006.

(c) A local board of education or the governing body of a public charter school may contract with a teacher holding a permit, but not holding a valid license, but only for



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the period of time during which the local board of education or the governing body of the public charter school is unable to secure a qualified teacher with a valid license for the type and kind of school.

(d) It is the intent of the general assembly to urge local boards of education and the boards' respective directors of schools, and governing bodies of public charter schools and the respective directors for each of the governing bodies' public charter schools, to make every effort to staff kindergarten through grade twelve (K-12) teaching positions with personnel fully licensed and endorsed for such grades.

(e) A director of schools or a director of a public charter school who learns of the conviction of a teacher holding a temporary permit who is employed by the LEA or public charter school, respectively, for any offense listed in § 49-5-417(a) shall report the conviction to the state board of education. The state board shall set the time frame within which a director of schools or a director of a public charter school must report a conviction of a teacher holding a temporary permit. The state board may specify other offenses for which a director of schools or a director of a public charter school is required to report to the state board upon learning of a conviction of a teacher holding a temporary permit for any such offense.

(f) A director of schools or a director of a public charter school shall report to the state board teachers holding a temporary permit who are employed by the LEA or public charter school, respectively, who have been suspended or dismissed, or who have resigned, following allegations of conduct, including sexual misconduct, which, if substantiated, would warrant consideration for disciplinary action under state board rules. As used in this subsection (f), "sexual misconduct" has the same meaning as defined in § 49-5-417(c)(5).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

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AMEND Senate Bill No. 1367

House Bill No. 1233*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, is amended by adding Sections 2–6 as a new part.

SECTION 2. This part is known and may be cited as the "Tennessee Accommodations for All Children Act."

SECTION 3. As used in this part:

(1) "Changing facility" means an area in which a person may be in a state of undress in the presence of others, including a locker room, changing room, or shower room;

(2) "Reasonable accommodation" includes, but is not limited to, access to a single-occupancy restroom or changing facility or use of an employee restroom or changing facility. "Reasonable accommodation" does not include the following:

(A) Access to a restroom or changing facility that is designated for use by members of the opposite sex while persons of the opposite sex are present or could be present;

(B) Requesting that a school construct, remodel, or in any way perform physical or structural changes to a school facility; or

(C) Requesting that a school limit access to a restroom or changing facility that is designated for use by persons of the opposite sex, if limiting access results in a violation of state or local building codes or standards;



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(3) "Restroom" means a facility that includes one (1) or more toilets or urinals;
and

(4) "Sex" means a person's immutable biological sex as determined by anatomy and genetics existing at the time of birth. Evidence of a person's biological sex includes, but is not limited to, a government-issued identification document that accurately reflects a person's sex listed on the person's original birth certificate.

SECTION 4.

(a) A public school shall, to the extent practicable, provide a reasonable accommodation to a person who:

(1) Desires greater privacy when using a multi-occupancy restroom or changing facility designated for the person's sex and located within a public school building or when using multi-occupancy sleeping quarters designated for the person's sex while attending a public school-sponsored activity; and

(2) Provides a written request for a reasonable accommodation to the principal of the school. If the student requesting the reasonable accommodation is under eighteen (18) years of age, then the parent or legal guardian of the student must provide the written request for the student.

(b) The principal shall evaluate the request and, to the extent practicable, provide a reasonable accommodation to the person.

(c) This section does not prohibit public schools from adopting policies necessary to accommodate persons protected under the Americans with Disabilities Act, (42 U.S.C. § 12101 et seq.), or persons in need of physical assistance when using restrooms or changing facilities located in public schools.

SECTION 5.

(a) If a request for a reasonable accommodation is denied, then the parent, guardian, or student, as applicable, may request a written appeal to the director of schools within fifteen (15) calendar days from the receipt of the principal's decision. The

director of schools, or the director's designee, shall investigate and attempt to resolve the complaint within fifteen (15) calendar days from receipt of the appeal.

(b) When a written request for a reasonable accommodation for a person is denied by the director of schools, or the director's designee, then the person may submit a written complaint to the department of education's office for civil rights. The complaint must be submitted within fifteen (15) calendar days from the receipt of the director of school's, or the director's designee's, decision and must include the original request and the reasons for denial. The office for civil rights shall render an opinion within sixty (60) calendar days from the date on which the complaint was filed with the office for civil rights, and deliver the opinion to the parent or legal guardian of the student, or to the student if the student is eighteen (18) years of age or older, and to the director of schools.

SECTION 6.

(a) A person has a private right of action when a public school knowingly allows a person of the opposite sex to enter a multi-occupancy restroom or changing facility designated for the person's sex and located in the school building.

(b) A person claiming right of action pursuant to this section may bring suit in the chancery court in the county where the claim arose.

(c) A person aggrieved under this section who prevails in court may recover monetary damages for all psychological, emotional, and physical harm suffered. A person who prevails on a claim brought pursuant to this section is entitled to recover reasonable attorney fees and costs.

(d) A person aggrieved under this section who prevails in court may recover monetary damages. This section does not limit other remedies at law or equity available to the aggrieved person, parent, guardian, or student, as applicable, against the public school.

(e) A civil action brought pursuant to this section must be initiated within one (1) year from when the date on which the claim arose.

SECTION 7. This act takes effect July 1, 2021, the public welfare requiring it.